THE MADRAS LEGISLATIVE COUNCIL

Monday, the 3rd March 1958.

The House met in the Council Chamber, Fort St. George, at three of the clock, Mr. Chairman (THE HON. DR. P. V. CHERIAN) in the Chair.

I.—QUESTIONS AND ANSWERS

STARRED QUESTIONS.

Temple lands

* 28 *Q.*—SRI T. PURUSHOTHAM: Will the Hon. the Minister for Revenue be pleased to state—

(*a*) whether any difficulties are experienced by the religious institutions as a result of the application of the Rent Reduction Act and the Estates Abolition Act to temple lands; and

(*b*) if so, what they are and the steps taken to remove them?

THE HON. SRI M. A. MANICKAVELU: (*a*) & (*b*) The answer [a] is laid on the table of the House.

SRI T. PURUSHOTHAM: As the Government have conceded that the loss incurred by the religious institutions on account of the Abolition Act should be made good to them, will the Hon. Minister tell us the amount involved inasmuch as the Government have admitted the reasonableness of this proposition when they say that, in view of the financial liability, the proposal to amend the Act was dropped?

THE HON. SRI M. A. MANICKAVELU: In view of the lengthy answer given, I have nothing further to add except to say that with regard to the category of inams, the Government are making good the loss incurred, that is, the difference between the amount they were getting and they will get according to the Act. Only with regard to the estates and undertenures, it is not being done.

SRI K. BALASUBRAMANYA AYYAR: Sir, the reason stated by them is this. Because there is financial liability, they will not look into the question. Sir, there was a writ petition in the High Court and that was allowed in favour of the devasthanam. Still, the Government say that they will not look into the matter.

THE HON. SRI M. A. MANICKAVELU: That is because the inam tenures stand on a different footing. They ought to be treated in a particular way. But, with regard to the estates and undertenures, I think the Government have done whatever is possible.

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[a] Printed as Appendix on pages 124–125 infra.

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Sri T. PURUSHOTHAM : May I invite the attention of the Government to the latest report of the Commissioner for Hindu Religious Endowments with regard to the difficulties experienced by the religious institutions on account of these Acts and will the Government reconsider the position and amend the relevant Acts with a view to seeing that justice is done to the religious institutions?

The Hon. Sri M. A. MANICKAVELU : If the hon. Member makes a specific representation about what he has stated, I shall pass it on to the Hon. the Minister in charge of Religious Endowments.

Sri K. BALASUBRAMANYA AYYAR : May I repeat my question? It is stated in the second paragraph of the answer, "Though under section 38 of the Abolition Act, the religious institutions are assured of the income they had been getting before the taking over of their inam estates, yet, in arriving at the additional compensation payable under this section, the compensation paid by the Government under section 5 (1) of the Madras Estates Land (Reduction of Rent) Act, 1947, is not taken into account as it is considered to be not an income derived from a source in the estate. A proposal to amend section 38 (2) (*a*) of the Abolition Act suitably to remove this difficulty was examined but, in view of the financial liability, the proposal was dropped. This was also the subject-matter of certain writ petitions filed in the High Court by the Ramanathapuram and Sivaganga Devasthanams. The High Court has allowed the writ petitions." This is what they have stated.

The Hon. Sri M. A. MANICKAVELU : Yes, Sir. I stick to the answer that has been given.

Sri MOHAMED RAZA KHAN : The Hon. the Revenue Minister said that the Minister in charge of Hindu Religious Endowments could take the decision. Can the House take it that he accepts the principle but that he wants the decision to be taken by the Minister in charge of Hindu Religious Endowments?

The Hon. Sri M. A. MANICKAVELU : I have not yet heard the full representations. I am not in a position to say whether I accept the principle or not. I shall pass it on to the Hon. Minister concerned.

Sri P. T. RAJAN : May I know the contents of the communication sent by the Commissioner of the Hindu Religious Endowments Board to the Government?

The Hon. Sri M. A. MANICKAVELU : It relates to a different Ministry. I want notice of the question.

Sri P. T. RAJAN : I think the Hon. the Minister for Revenue will be acquainted with the contents.